

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

EIGHTH DAY

(Tuesday, February 7, 2023)

The Senate met at 11:06 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Sparks, Springer, West, Whitmire, Zaffirini.

Absent: Schwertner.

The President announced that a quorum of the Senate was present.

Pastor Adam Thornton, Dripping Springs Methodist Church, Dripping Springs, offered the invocation as follows:

Gracious God, we gather together this day for holy work. Governments were instituted by You for the purposes of justice and mercy, to bring order to the world and to create a better society. Thank You for these Members of the Senate who have been elected to do this work. I pray that You would grant them wisdom and a heart for what is right, versus a heart for what is expedient. Grant them Your vision and Your heart for the people that they represent. Grant them patience as they work with each other. Grant them endurance to do the work for which they were elected. I ask and pray all of this in the name of Your son, Jesus Christ. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Nichols was recognized and presented Dr. Ronnie McMurry of Jasper as the Physician of the Day.

The Senate welcomed Dr. McMurry and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 143

Senator Campbell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Endeavors Veteran Wellness Center in San Antonio for improving the lives of disabled veterans and their families; and

WHEREAS, Endeavors is a faith-based nonprofit that was founded as San Antonio Urban Ministries by inner-city churches in 1969; renamed in 2018, the center advocates for a holistic approach to veteran integration and reincorporation into civil society; and

WHEREAS, The center has done much to support children, families, veterans, survivors of natural disasters, and people struggling with mental illness by offering them a host of physical, emotional, and mental wellness services, including family counseling, crisis intervention, group therapy, parenting classes, fitness programs, child care, and life skills and vocational training; and

WHEREAS, Endeavors partners with governmental agencies and national and local organizations to address homelessness, child abuse, and unemployment within the veteran population; Endeavors' Veteran Supportive Services offers homelessness prevention and rapid rehousing, and in 2021, the agency opened the Veteran Wellness Center in San Antonio, a first-of-its-kind care clinic that addresses all aspects of health; and

WHEREAS, During the COVID-19 pandemic, Endeavors and other support organizations established two emergency centers in El Paso that served as points of entry for a network of area shelters; the center secured a 50 percent funding increase for COVID-impacted veterans and provided housing assistance to 200 clients in Houston who lost housing as a result of the pandemic; and

WHEREAS, In its 50 years of existence, Endeavors has served nearly 30,000 clients in Texas, Florida, North Carolina, and Puerto Rico and has empowered countless people to become integrated individuals who provide for their families and contribute to their communities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 88th Legislature, hereby commend Endeavors Veteran Wellness Center on its exceptional service to vulnerable people in crisis and extend to all those associated with this noteworthy organization sincere best wishes for continued success; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Endeavors as an expression of high regard from the Texas Senate.

(Senator Birdwell in Chair)

SR 143 was read.

On motion of Senator Menéndez and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Campbell, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Campbell, joined by Senators Menéndez and Hinojosa, was recognized and introduced to the Senate an Endeavors Veteran Wellness Center delegation including Jon Allman, Chip Fulghum, Ben Miranda, Jill Palmer, Annie Erickson, Kellie Walshburn, and Kimberly Harle Solis.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Parker was recognized and introduced to the Senate a delegation celebrating Texas Occupational Therapy Association Day at the Capitol.

The Senate welcomed its guests.

SENATE RESOLUTION 128

Senator Huffman offered the following resolution:

SR 128, Recognizing February 7, 2023, as Matagorda County Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate a Matagorda County delegation including Matagorda County Judge Bobby Seiferman, Tim Powell, J. Warren Robicheaux, Erik Frankson, and Stuart Lynn.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Paxton was recognized and introduced to the Senate a City of Wylie delegation including Mayor Matthew Porter, Mayor Pro Tempore Jeff Forrester, David Duke, Jason Greiner, Melisa Whitehead, Angel Wygant, and Tina Stelnicki.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nichols was recognized and introduced to the Senate the representatives of the Alabama-Coushatta Tribe of Texas including Principal Chief Donnis Battise and Second Chief Millie Williams.

The Senate welcomed its guests.

SENATE RESOLUTION 142

Senator Springer offered the following resolution:

SR 142, Recognizing February 7, 2023, as Habitat for Humanity Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Springer was recognized and introduced to the Senate a delegation from Habitat for Humanity including new homeowner Adasha Palmer.

The Senate welcomed its guests.

ACKNOWLEDGMENT

Senator LaMantia acknowledged the 170th birthday of the City of Brownsville.

RESOLUTION SIGNED

The Presiding Officer announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 10.**

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

February 3, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Manufactured Housing Board for terms to expire January 31, 2029:

Ronald M. "Ronnie" Richards

Clear Lake Shores, Texas

Keith C. Thompson

Lubbock, Texas

The individuals listed above are being reappointed.

Respectfully submitted,

/s/Greg Abbott

Governor

February 3, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be the Injured Employee Public Counsel for a term to expire February 1, 2025:

Dirk D. Johnson

Austin, Texas

(replacing Jessica C. Barta of Austin whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

February 3, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be the Chief Executive and Public Counsel of the Office of Public Utility Counsel for a term to expire February 1, 2025:

Courtney K. Hjaltman

Austin, Texas

(Ms. Hjaltman is being reappointed)

Respectfully submitted,

/s/Greg Abbott

Governor

February 3, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Texas Water Development Board for a term to expire February 1, 2029:

L'Oreal Stepney

Pflugerville, Texas

(Ms. Stepney is being reappointed)

Respectfully submitted,

/s/Greg Abbott

Governor

February 3, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be the Commissioner of Workers' Compensation for a term to expire February 1, 2025:

Jeffrey G. "Jeff" Nelson

Austin, Texas

(Commissioner Nelson is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

February 3, 2023
Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the
following appointments:

To be a members of the Motor Vehicle Crime Prevention Authority for terms to
expire February 1, 2029:

Miguel A. "Mike" Rodriguez, Jr.
Laredo, Texas

Patrick D. "Dean" Smith
North Richland Hills, Texas

The individuals listed above are being reappointed.

Respectfully submitted,

/s/Greg Abbott
Governor

February 3, 2023
Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the
following appointment:

To be a member of the Texas Workforce Commission for a term to expire
February 1, 2029:

Alberto "Albert" Trevino
Harlingen, Texas
(Commissioner Trevino is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

February 3, 2023
Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR
SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the
following appointment:

To be the Commissioner of Insurance for a term to expire February 1, 2025:

Cassandra J. "Cassie" Brown

Cost, Texas

(Commissioner Brown is being reappointed)

Respectfully submitted,

/s/Greg Abbott

Governor

February 6, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the 470th Judicial District, Collin County, for a term until December 31, 2024, or until her successor shall be duly elected and qualified:

Anna "Brook" Fulks

Frisco, Texas

(replacing Judge Emily A. Miskel of McKinney who was appointed to the Fifth Court of Appeals)

Respectfully submitted,

/s/Greg Abbott

Governor

February 6, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the 162nd Judicial District, Dallas County, for a term until December 31, 2024, or until her successor shall be duly elected and qualified:

Ashley E. Wysocki

Dallas, Texas

(replacing Judge Maricela Moore of Dallas who was elected to the Fifth Court of Appeals)

Respectfully submitted,

/s/Greg Abbott

Governor

February 6, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Southern University Board of Regents for terms to expire February 1, 2029:

James M. Benham
College Station, Texas
(Mr. Benham is being reappointed)

Richard A. Johnson, III, Ed.D.
Houston, Texas
(replacing Marc C. Carter of Houston whose term expired)

Brandon L. Simmons
Houston, Texas
(replacing Ronald J. "Ron" Price of Mesquite whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

SENATE CONCURRENT RESOLUTION 14

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 88th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, February 8, 2023, and ending on Tuesday, February 14, 2023.

WHITMIRE

SCR 14 was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 30, Nays 0.

Absent: Schwertner.

CO-AUTHOR OF SENATE BILL 144

On motion of Senator Gutierrez, Senator Johnson will be shown as Co-author of **SB 144**.

CO-AUTHOR OF SENATE BILL 168

On motion of Senator Blanco, Senator Johnson will be shown as Co-author of **SB 168**.

CO-AUTHOR OF SENATE BILL 170

On motion of Senator Blanco, Senator Johnson will be shown as Co-author of **SB 170**.

CO-AUTHOR OF SENATE BILL 172

On motion of Senator Blanco, Senator Johnson will be shown as Co-author of **SB 172**.

CO-AUTHOR OF SENATE BILL 175

On motion of Senator Middleton, Senator Hall will be shown as Co-author of **SB 175**.

CO-AUTHOR OF SENATE BILL 316

On motion of Senator Hall, Senator Middleton will be shown as Co-author of **SB 316**.

CO-AUTHORS OF SENATE BILL 330

On motion of Senator Hall, Senators Middleton and Sparks will be shown as Co-authors of **SB 330**.

CO-AUTHOR OF SENATE BILL 346

On motion of Senator Middleton, Senator Hall will be shown as Co-author of **SB 346**.

CO-AUTHOR OF SENATE BILL 392

On motion of Senator Hall, Senator Middleton will be shown as Co-author of **SB 392**.

CO-AUTHOR OF SENATE BILL 478

On motion of Senator Zaffirini, Senator Parker will be shown as Co-author of **SB 478**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 113 by Hughes, In memory of Susan Gallaher Merritt.

SR 114 by Hughes, In memory of William Franklin Bush.

SR 115 by Hughes, In memory of Carlos Barton Griffin Sr.

SR 130 by Eckhardt, In memory of Robert Stanley Wright Sr.

SR 138 by Hughes, In memory of Gladys Huelitt Cariker.

Congratulatory Resolutions

SR 107 by Kolkhorst, Recognizing Certified Registered Nurse Anesthetists for their role in health care.

SR 110 by Whitmire, Recognizing the 27th Annual Texas Lunar Festival.

SR 112 by Parker, Recognizing Bob's House of Hope for its service to human trafficking victims.

SR 116 by West, Recognizing Sharon Denise Bradley for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 117 by West, Recognizing Jo Anne Slaughter Brunson for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 118 by West, Recognizing Jacqueline D. Hoyt for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 119 by West, Recognizing Oretta B. Johnson for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 120 by West, Recognizing Lincolnette Lockridge for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 121 by West, Recognizing Linda Manuel-Fonteneaux for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 122 by West, Recognizing Janice Raymond Mitchell for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 123 by West, Recognizing Barbara Morgan Punch for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 124 by West, Recognizing Mary Ann Wallace for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 125 by West, Recognizing Cheryle Gail Fleming for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 126 by West, Recognizing Cafea Harrell for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 127 by West, Recognizing Joyce Gibson for 50 years of service to Delta Sigma Theta Sorority, Incorporated.

SR 129 by Nichols, Recognizing the Texas School District Police Chiefs' Association for their service.

SR 134 by Zaffirini, Recognizing the members of Dove Springs Proud for their commitment to civic engagement.

SR 137 by Hughes, Recognizing Forney Fenimore Lawing Jr. on the occasion of his 80th birthday.

SR 141 by Sparks, Recognizing Juandelle Wainscott Lacy Roberts on the occasion of her 95th birthday.

Official Designation Resolutions

SR 82 by Miles, Recognizing January 24, 2023, as Alpha Phi Alpha Fraternity Day.

SR 111 by Whitmire, Recognizing February 20 through February 24, 2023, as Certified Anesthesiologist Assistant Week.

SR 131 by Eckhardt, Recognizing February 7, 2023, as Justices of the Peace and Constables Day.

SR 135 by Zaffirini, Recognizing February 8, 2023, as McMullen County Day.

SR 136 by Zaffirini, Recognizing February 8, 2023, as Laredo Legislative Day.

SR 139 by Nichols, Recognizing February 7, 2023, as Alabama-Coushatta Tribe of Texas Day.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 11:44 a.m. adjourned, in memory of Andy Jefferies, until 11:00 a.m. tomorrow.

APPENDIX

SENT TO SECRETARY OF STATE

February 7, 2023

SCR 10

RESOLUTIONS ENROLLED

February 7, 2023

SR 82, SR 107, SR 110, SR 111, SR 112, SR 113, SR 114, SR 115, SR 116, SR 117, SR 118, SR 119, SR 120, SR 121, SR 122, SR 123, SR 124, SR 125, SR 126, SR 127, SR 128, SR 129, SR 130, SR 131, SR 134, SR 135, SR 136, SR 137, SR 138, SR 139, SR 141, SR 142, SR 143

